

1    JEFFREY S. KRAMER, State Bar No. 094049  
2    SANDRA CALIN, State Bar No. 100444  
3    KRAMER, DEBOER & KEANE  
4    A Limited Liability Partnership  
5    Including Professional Corporations  
6    27001 Agoura Road, Suite 350  
7    Calabasas, CA 91301  
8    Tel: (818) 657-0255 - Fax: (818) 657-0256  
9    [jkramer@kdeklaw.com](mailto:jkramer@kdeklaw.com);  
10   [scalin@kdeklaw.com](mailto:scalin@kdeklaw.com)  
11   Attorneys for Defendants, DARRICK ANGEL  
12   and ON CHAIN INNOVATIONS, LLC

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

11 HIDDEN EMPIRE HOLDINGS, LLC;  
12 a Delaware limited liability company;  
13 HYPER ENGINE, LLC; a California  
limited liability company; DEON  
TAYLOR, an individual.

Plaintiffs,  
v.

13 DARRICK ANGELONE, an  
14 individual; AONE CREATIVE, LLC  
15 formerly known as AONE  
16 ENTERTAINMENT LLC, a Florida  
17 limited liability company; ON CHAIN  
18 INNOVATIONS, LLC, a Florida  
limited liability company,

## Defendants.

Case No. 2:22-cv-06515-MWF-AGR  
Action Filed: September 12, 2022

**DEFENDANTS' MEMORANDUM  
OF POINTS AND AUTHORITIES  
IN OPPOSITION TO PLAINTIFFS'  
MOTION FOR SUMMARY  
JUDGMENT**

Date: August 18, 2025  
Time: 10:00 a.m.  
Dept: 5A

[Filed Concurrently with Declaration of Sandra Calin in Support of Defendants' Opposition to Plaintiffs' Motion for Summary Judgment; Declaration of Defendant Darrick Angelone in Opposition to Plaintiffs' Motion for Summary Judgment; Declaration of Rick Watts in Opposition to Plaintiffs' Motion for Summary Judgment]

24 TO THIS HONORABLE COURT AND TO EACH PARTY AND THEIR  
25 ATTORNEYS OF RECORD:

26 COMES NOW, Defendants DARRICK ANGELONE, AONE CREATIVE,  
27 LLC and ON CHAIN INNOVATIONS, LLC, by and through their attorneys of  
28 record, and submit their Opposition to Plaintiffs' Motion for Summary Judgment.

1        This Opposition will be based upon the attached Memorandum of Points and  
2 Authorities, the Declarations of Sandra Calin, Rick Watts and Darrick Angelone, filed  
3 and served concurrently herewith, together with the records, papers, and files of the  
4 within matter and such other evidence, both oral and documentary, as may be  
5 presented at the time of the hearing of the Motion.

6

7 DATED: August 4, 2025

KRAMER, DEBOER & KEANE

8

9

10 By:

11   
12 JEFFREY S. KRAMER  
13 SANDRA CALIN  
14 Attorneys for Defendants  
15 DARRICK ANGELONE, AONE  
16 CREATIVE, LLC, and ON CHAIN  
17 INNOVATIONS, LLC

18

19

20

21

22

23

24

25

26

27

28

KRAMER, DEBOER & KEANE  
A LIMITED LIABILITY PARTNERSHIP  
INCLUDING PROFESSIONAL CORPORATIONS  
27001 AGOURA ROAD, SUITE 350  
CALABASAS, CA 91301  
TELEPHONE (818) 657-0255

1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 **I. INTRODUCTION**

3 In February 2024, Plaintiffs filed a Motion for essentially terminating sanctions  
4 against Defendants. Following a hearing in Court, a further evidentiary hearing was  
5 conducted, with testimony offered by the experts of both Plaintiffs and Defendants.  
6 That Motion by Plaintiffs was denied. Now, Plaintiffs are again attempting to  
7 circumvent the due process of properly litigating this case to a jury that allows for  
8 cross-examination of witnesses, and seeks this Court to summarily find in Plaintiffs  
9 favor in a case that is rife with genuine questions of fact. This case is simply one in  
10 which the two sides (Plaintiffs and Defendants) have diametrically opposed versions  
11 of the facts that requires a trier of fact to determine, and cannot be adjudicated on a  
12 motion for summary judgment.

13 All of the “Facts” set forth at length on pages 6 through 19 of Plaintiffs’ Motion  
14 are a repetition of the “facts” presented in Plaintiffs’ Motion over a year ago. And all  
15 of those “facts” are disputed by the Declarations of Darrick Angelone and Rick Watts,  
16 filed and serve concurrently herewith, raising genuine disputes that bar summary  
17 judgment.

18 Plaintiffs present in support of the Motion for Summary Judgment the  
19 Declaration of Erin Burke, which consists of 19 pages, and with the attached Exhibits,  
20 121 pages. Defendants have filed concurrently herewith the Declaration of Rick  
21 Watts to refute all of the allegations in Ms. Burke’s Declaration. However, only a  
22 small portion of Ms. Burke’s Declaration is referenced one time in the Motion, at page  
23 22, line 19.

24 Furthermore, the Motion is ostensibly supported by the Declaration of Felton  
25 T. Newell. However, that Declaration is three pages long and contains three  
26 paragraphs. At multiple sections of the Memorandum of Points and Authorities,  
27 Plaintiff cite to “Newell Decl. ¶¶9-27” (page 20, lines 13-14); “Newell Decl. at ¶ 28”  
28 (page 22, line 16 and page 24, line 10). There is a further cite to “Q. Newell Decl. ¶¶

1 29-30" (page 25, line10) however there was no Declaration submitted by a Q. Newell.  
2 Therefore Defendants cannot adequately respond to the arguments in the Motion.

3 As is documented in the Declaration of Sandra Calin at ¶ 4, although Plaintiffs'  
4 counsel called defense counsel on May 1, 2025 to advise that he would be filing a  
5 Motion for Summary Judgment, this conversation, more than one month prior to the  
6 filing of the instant Motion, did not meet the requirements of Local Rule 7-3 to  
7 thoroughly discuss "the substance of the contemplated motion and any potential  
8 resolution."

9 Plaintiffs' Motion is also procedurally defective in that Plaintiffs did not file a  
10 separate Statement of Uncontroverted Facts, as required by Local Rule 56-1.  
11 Therefore, the Motion should be summarily denied.

## 12 II. LEGAL ARGUMENT

13 As Plaintiffs' Motion correctly states, summary judgment is appropriate if it is  
14 shown that "there is no genuine dispute as to any material fact and the movant is  
15 entitled to judgment as a matter of law." Fed. R. of Civ. P. 56(a). However, Rule  
16 56:38 also states that the procedures regulating the making and briefing of summary  
17 judgment motions "will be governed by local rules and by orders issued by the judge  
18 assigned to the case." Here, Local Rule 56-1 states: "A party filing a notice of motion  
19 for summary judgment or partial summary judgment must file a separate 'Statement  
20 of Uncontroverted Facts.' This Statement must set forth the material facts as to which  
21 the moving party contends there is no genuine dispute." Plaintiffs here have failed to  
22 file such a Statement, and although the Motion contains extensive "facts" it is not  
23 clear which specific facts Plaintiffs contend are undisputed. As will be discussed  
24 herein, Defendants contend that all of the facts set forth by Plaintiffs are, in fact,  
25 disputed, and summary judgment is simply not available to Plaintiffs as a means of  
26 disposing of this case.

27 Plaintiffs' First Amended Complaint states causes of action for 1) Breach of  
28 Contract; 2), 3) and 4) Computer Fraud and Abuse Act, 18 U.S.C. §1030 et al.; 5), 6)

1 and 7) California Computer Data Access and Fraud Act (Cal. Penal Code §502(c));  
2 8) Conversion; and 9) Copyright Infringement (17 U.S.C. §501 et al.). With respect  
3 to each of the causes of action addressed in the Motion for Summary Judgment, the  
4 issue is not the legal basis for the cause of action, but whether the facts as set forth in  
5 the Motion give rise to a genuine dispute as to a material fact. In all cases, genuine  
6 disputes of material fact exist so as to preclude summary judgment.

7 **A. Breach of Contract**

8 It appears that Plaintiffs seek summary judgment on the breach of contract  
9 cause of action by alleging that AOne breached the 2012 Agreement entered into by  
10 the parties by refusing to provide to HEFG the username and password to allow HEFG  
11 to obtain access to and administrative control of the HEFG Domains. This is  
12 specifically disputed by Mr. Angelone at Angelone Decl. ¶16-19 wherein he states  
13 that there was never a “lock-out” of HEFG from its domain. He does state that there  
14 was a temporary suspension for non-payment, but access was restored. Whether this  
15 amounts to a breach of contract is a question of fact to be decided by the trier of fact.

16 **B. Federal Computer Fraud and Abuse Claim**

17 The Second, Third and Fourth Causes of Action are premised on U.S.C. §1030  
18 et al., and allege Mr. Angelone committed a number of “computer crimes” by the  
19 unauthorized access of HEFG’s corporate emails. Again, while the elements of a  
20 cause of action pursuant to this Status are not disputed, the dispute is a factual one  
21 with respect to whether Plaintiffs have presented a genuine issue of material fact. And  
22 again, the Declaration of Mr. Angelone disputes these assertions at Angelone Decl.  
23 ¶55-58. At ¶55, Mr. Angelone states that the emails referenced by Rosanne Taylor in  
24 the Declaration in support of the Motion for Summary Judgment were emails on  
25 which he was copied and not ones he himself accessed directly.

26 Plaintiffs also rely on the Declaration of Erin Burke at ¶¶26-32 for the assertion  
27 that Defendants deleted Plaintiffs’ Google Workspace Account. However, this is  
28 clearly disputed by the Declaration of Rick Watts at ¶¶ 9-19. Again, a genuine issue

1 of material fact is raised that must be decided by a trier of fact and cannot be  
2 adjudicated on a motion for summary judgment.

3 **C. California Computer Data Access and Fraud Act**

4 The Fifth, Sixth and Seventh Causes of Action are premised on California's  
5 Computer Data Access and Fraud Act codified in California Penal Code §502(c), and  
6 the Motion for Summary Judgment essentially reiterates the same argument as that  
7 stated in connection with the claims under U.S.C §1030 et al. And similarly, the  
8 Declaration of Darrick Angelone disputes the Plaintiffs' assertions at Angelone Decl.  
9 ¶55-58. A genuine issue of material fact is presented, such that summary judgment  
10 cannot be granted.

11 **D. Conversion**

12 The Motion for Summary Judgment on this issue essentially reiterates the  
13 claims made over a year ago with respect to the Motion for terminating sanctions,  
14 heard by the Court and denied. Plaintiffs again appear to assert that Defendants took  
15 control of various domains, social media and website accounts. And again, the  
16 Declarations of Darrick Angelone and Rick Watts refute each of the "facts," thereby  
17 precluding summary judgment.

18 The Declaration of Darrick Angelone at ¶53 disputes that he withheld any  
19 intellectual property assets from HEFG. In addition, the Declaration of Rick Watts,  
20 at ¶¶ 38-40 establishes that Plaintiffs cannot prevail on their assertion that Defendants  
21 were responsible for deactivating the Plaintiffs' social media accounts.

22 With respect to the allegations regarding the domains that Plaintiffs claim  
23 defendants "hijacked," this issue was disposed of at the hearing regarding Plaintiff's  
24 Motion in April 2024. The Declaration of Sandra Calin submitted concurrently  
25 herewith establishes that at the hearing on April 2, 2024, counsel for Plaintiffs  
26 Lawrence Hinkle confirmed that of the total of nine of the "Icelandic domains," five  
27 were in fact unregistered and in the public domain, and Ms. Taylor was able to register  
28 them. The remaining four domains all nine of the domains were transferred to Ms.

1 Taylor and thus all nine domains were accounted for and were not controlled by  
2 Defendants.

3 **III. CONCLUSION**

4 Summary Judgment is clearly intended to dispose of issues as to which there  
5 no genuine issue of disputed facts. Here, the entirety of Plaintiffs' Motion for  
6 Summary Judgment consists of factual arguments that are disputed by Defendants.  
7 Therefore, Defendants respectfully submit that genuine issues of material fact exist  
8 with respect to all causes of action in Plaintiffs' Complaint, and the Motion for  
9 Summary Judgment must be denied.

10

11 DATED: August 4, 2025

KRAMER, DEBOER & KEANE

12

13

14 By:



---

15 JEFFREY S. KRAMER  
16 SANDRA CALIN  
17 Attorneys for Defendants  
18 DARRICK ANGELONE, AONE  
19 CREATIVE, LLC, and ON CHAIN  
20 INNOVATIONS, LLC

21

22

23

24

25

26

27

28

**CERTIFICATE OF SERVICE**

I am employed in Los Angeles County, California. I am over the age of 18 and not a party to this action; my business address is 27001 Agoura Road, Suite 350, Calabasas, CA 91301. My email address is [ynelson@kdeklaw.com](mailto:ynelson@kdeklaw.com).

I certify that on August 4, 2025, I served: **DEFENDANTS' MEMORANDUM OF POINTS AND AUTHORITIES IN OPPOSITION TO PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT** on the following parties or counsel of record as follows:

|  |   |
|--|---|
| <p>Felton T. Newell, Esq.<br/>Newell Law Group PC<br/>1801 Century Park East, 24<sup>th</sup> Floor<br/>Phone (310) 556-9663<br/>E-mail: <a href="mailto:felton@newellpc.com">felton@newellpc.com</a>;<br/><a href="mailto:christine@newellpc.com">christine@newellpc.com</a></p>  | <p><i>Counsel for Plaintiffs</i></p>    |
| <p>Justin Kian, Esq.<br/>J.T. Fox, Esq.<br/>LAW OFFICES OF JT FOX, APC<br/>556 S. Fair Oaks Avenue, Suite 444<br/>Pasadena, California 91105<br/>Telephone: (888) 750-5530 - Fax: (888) 750-5530<br/>Email: <a href="mailto:jt@jtfoxlaw.com">jt@jtfoxlaw.com</a>;<br/><a href="mailto:justin@jtfoxlaw.com">justin@jtfoxlaw.com</a></p> | <p><i>Co-Counsel for Defendants</i></p> |

By ECF/CM: I electronically filed an accurate copy using the Court's Electronic Court Filing ("ECF") System and service was completed by electronic means by transmittal of a Notice of Electronic Filing on the registered participants of the ECF System.

I declare under penalty of perjury under the laws of the United States of America and the State of California that the foregoing is true and correct. Executed at Calabasas, California on August 4, 2025.

/s/ Yolanda Nelson  
Yolanda Nelson